

TREMONTON CITY CORPORATION
LAND USE AUTHORITY BOARD
April 13, 2016

Members Present:

Steve Bench, Chairman/Zoning Administrator
Chris Breinholt, City Engineer
Shawn Warnke, City Manager
Marc Christensen, Parks & Recreation Director
Cynthia Nelson, Deputy Recorder

Chairman Bench called the Land Use Authority Board Meeting to order at 9:02 a.m. The meeting was held April 13, 2016 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Steve Bench, Engineer Chris Breinholt, Manager Shawn Warnke (arrived at 9:08 a.m.), Director Marc Christensen, and Deputy Recorder Cynthia Nelson were in attendance. Director Paul Fulgham was excused.

1. Approval of agenda:

Motion by Director Christensen to approve the April 13, 2016 agenda. Motion seconded by Engineer Breinholt. Vote: Chairman Bench – aye, Engineer Breinholt – aye, and Director Christensen – aye. Motion approved.

2. Approval of minutes: March 16, 2016

Motion by Engineer Breinholt to approve the minutes of March 16, 2016. Motion seconded by Director Christensen. Vote: Chairman Bench – aye, Engineer Breinholt – aye, and Director Christensen – aye. Motion approved.

3. New Business: The following items were discussed out of order.

a. Discussion and consideration of preliminary subdivision at 750 West 1200 South – Brent Kirkland and Ben Johnston

Mr. Ben Johnston stated he has updated the plat after speaking with Director Fulgham. The intersection has been changed to be more open and squared up to the street. Mr. Johnston stated there is an existing storm drain that is recorded, but all the legal descriptions were off. They have all since been modified. They will install a combination box that will detain and release storm water.

Mr. Johnston stated there will be a small section that won't have curb and gutter and suggested the City pay for about 100 feet of curb, gutter, and eight foot sidewalk to be installed. Manager Warnke stated they would need to talk to Director Fulgham, but the City could probably do that.

Chairman Bench asked Mr. Johnston to send the plat and construction drawings to Engineer Breinholt and the Board members for their review.

Motion by Engineer Breinholt to approve the preliminary plat for Country Lane Subdivision. Motion seconded by Director Christensen. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Manager Warnke – aye, and Director Christensen – aye.

Manager Warnke asked Engineer Breinholt if there are field drains that need to be noted on the Country Lane Subdivision plat. The Board reviewed the map and found there are field drains near this property, but there are probably only two lots that may be affected by them. The potential locations will need to be noted on the plat and if a field drain is dug up when constructing homes, they will need to be repaired. It does not appear that the Mike Chadwick Subdivision would be affected by the field drains.

- b. Final Site Plan approval and Conditional Use for Station Assisted Living- Lora Burrell

Manager Warnke asked if the Burrell's had heard anything from the adjacent property owner. Ms. Lora Burrell stated that the adjacent property owner was concerned about fencing, lighting, and sound of this development. Manager Warnke asked if the adjacent property owner has an existing fence. Ms. Burrell stated that they do and that she intends on matching the fence. It will be a six foot fence and then drop down to a four foot fence.

Manager Warnke asked about streetlights. Chairman Bench stated that is something that the developer, Mr. Lyle Holmgren, needs to address. Mr. Burrell stated he has spoke with Mr. Holmgren and he was going to think through it. Ms. Burrell stated they have contemplated laying the conduit for lighting so it is there.

Engineer Breinholt stated the Burrell's had answered all his concerns. Chairman Bench stated the Burrell's will be on next Wednesday's Land Use agenda for Final Approval and the Board will review the plat between now and then and provide comments.

- c. Site Plan review for Greer's Hardware – Tom Greer and Micah Capener

Chairman Bench asked if the plat has been recorded yet. Mr. John Losee stated it has not been as he is waiting on signatures from the Canal Company. Once the Canal Company has signed the plat, the City will also need to sign it.

Chairman Bench asked how many parking stalls were included on the plat. Engineer Breinholt stated there are 36 parking stalls. Manager Warnke asked if Engineer Breinholt had a chance to review the plat. Engineer Breinholt stated he

did review it and he had a couple notes such as where the garbage will be placed. Mr. Tom Greer stated they will have a dumpster pad in the back of the building just like Result's Gym and Fitness. The pad has not been drawn on the plat though. Manager Warnke asked if there is a detail on the actual dumpster enclosure. Chairman Bench stated there is not.

Mr. Greer stated the same light fixtures will be used as through the rest of the development. Engineer Breinholt stated he needed to ask Director Fulgham if a manhole would be required at the end of each line or if a clean-out would do. Manager Warnke stated the Design Review Committee (DRC) standards will need to be added to the plat as well. Engineer Breinholt stated he also needs to cross check the storm drain pond.

Manager Warnke asked Mr. Greer about the timing on this project. Mr. Greer stated they would like to start by July 1st. Chairman Bench asked Mr. Greer to provide the City with revised drawings and will move forward from there.

- d. Preliminary plat review for Spring Acres Phase 5 – Marc Allred and Ben Johnston

Manager Warnke stated that the City won't take action on this development until Mr. Marc Allred has paid the money he owes the City.

- e. Discussion of subdivision for Mark Hirschi, East Tremonton – Ben Johnston

Chairman Bench stated Mr. Mark Hirschi is proposing a one-lot subdivision but there is a sewer line/septic tank issue. Mr. Johnston stated this parcel of property is 11.88 acres and part of the property is in City limits and the other party in the County. Chairman Bench stated the property that is in City limits is zoned R1-20. Engineer Breinholt stated he would prefer the annexation lines to be back away from the road so one entity owns the road and both sides of the road are in the same City. Manager Warnke asked about water lines. Chairman Bench stated the water meter would be out on the street with a line run back to the house.

Manager Warnke stated the biggest issue with this property is the sewer issue based on the City's current Code. Chairman Bench stated it would cost over \$400,000 to run the sewer line for this one home. Engineer Breinholt stated the City has a lot of rural areas and they don't want to prevent people from building in an area like this and putting a septic tank in. Building a subdivision with multiple homes would be a different story so there will need to be a separation between the different developments and when septic tanks would be allowed. Mr. Johnston stated the Code states if a home is within 500 feet of a sewer line, they must connect, but it is not even feasible to connect this property.

Engineer Breinholt suggested the Code be amended and language added to tie the property to the parcel it is being broke off from and only allowing a certain

number of homes on that property before it becomes a larger development and sewer needs to be constructed to it. Manager Warnke stated the Code currently discusses subdivisions and what improvements are required and when and a new section could be created for rural subdivisions. Engineer Breinholt stated there are no public health risks with having a few houses on septic systems as any problems can be mitigated. Engineer Breinholt asked if the current Code expressly prohibits septic tanks. Manager Warnke stated it does through the subdivision process.

Manager Warnke stated he and Chairman Bench would work on changes to the Code.

- f. Discussion and consideration of concept/preliminary for a three (3) lot subdivision at 850 West 1200 South – Mike Chadwick and Ben Johnston

Chairman Bench stated this property was rezoned a few years ago to R1-10. Manager Warnke asked if it meets the setbacks. Chairman Bench stated the front setback is 10 feet and the rear is 25 feet. Mr. Johnston stated on the preliminary plat he has two houses and it meets all the setbacks. Chairman Bench stated Mr. Mike Chadwick would be required to put in curb, gutter, and sidewalk for this development. Mr. Chadwick stated he understood. There is already curb and gutter existing, but there is no sidewalk.

Manager Warnke stated it would be ideal for the driveway access to be off 850 West. Mr. Chadwick stated that could be done. Chairman Bench stated 1200 South is slated to be improved as a collector road so it would be beneficial for the driveway to come off 850 West instead of residents backing out onto the busy collector road. Engineer Breinholt stated this area has also been slated to have eight foot sidewalks. Chairman Bench stated that was correct. Mr. Chadwick asked if the City would help with the additional 4 feet of sidewalk.

Mr. Johnston stated he can bring in the construction drawings for this development. Engineer Breinholt asked where a hydrant is. Chairman Bench stated he thought there was one across the street but couldn't remember for sure and stated they would need to see if there is a hydrant within the required distance.

Manager Warnke asked about streetlights. Mr. Johnston stated he wasn't sure where a streetlight is. Chairman Bench stated he thought there is a pole on the corner that a gooseneck streetlight could be added to.

Chairman Bench stated this concept/preliminary will need to be sent onto the Planning Commission for their approval. Manager Warnke stated the City requires the developer to get an escrow. Mr. Chadwick asked if the development is too cost prohibitive, if it would be possible to rezone the property back to RR-1.

Chairman Bench stated if Mr. Chadwick would like to go through the rezone process again, they could rezone it back to RR-1.

Motion by Engineer Breinholt to approve a concept/preliminary for a three (3) lot subdivision at 850 West 1200 South, noting that the construction drawings have not been submitted yet. Motion seconded by Director Christensen. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Manager Warnke – aye, and Director Christensen – aye. Motion approved.

g. Walk ins*

Chairman Bench stated representatives from the Athenian Charter School and Police Chief David Nance were in attendance to discuss traffic issues at the school. Ms. Brandi Greer introduced herself and Ms. Kim Smith as parents of students at the Athenian Charter School and members of the Parent Involvement Committee (PIC) Council.

Ms. Greer stated their goal is to address the traffic safety concerns at the school. There is a designated exit only on the east side and enter only on the west side of the campus for parents to use when dropping their children off at school. There is a sidewalk that ends on the east side of the campus and pedestrians are not allowed past that point for safety reasons.

Ms. Greer stated there is no traffic allowed on campus during the school day as the area is blocked off and used as the children's playground. They have also asked parents to park on the south side of the campus.

Engineer Breinholt asked what traffic problems they are seeing. Ms. Greer stated there are parents that hate the idea of having to pull into the circular drive to pick up their children and wait for 12 to 15 minutes and instead they park along both sides of the road. Chairman Bench stated he drove past the school yesterday and there were cars parked on the street. Ms. Greer stated there was a fender bender at the school last week and a child was knocked to the ground as they were exiting the car as it was hit.

Engineer Breinholt asked if the 12 to 15 minute wait is if everyone was following the traffic rules as they were designed for picking up children or if it is taking that long even with parents parking on the street. Ms. Greer stated if everyone were to follow the traffic rules, it would probably take 20 minutes. The teachers are starting to recognize the parents cars and some teachers won't excuse a child from the classroom until they see their parent's car in the load/unload zone.

Engineer Breinholt asked if this issue happens during both drop off and pick up times. Ms. Greer stated drop off runs a little smoother. Ms. Smith added it was during drop off time that the fender bender happened however. Chairman Bench

asked if parents also park on the road to drop their children off. Ms. Greer stated they do. Engineer Breinholt asked how long it takes parents to drop their children off. Ms. Greer estimated it would take five to ten minutes. Ms. Smith added that drop off takes less time because students don't all arrive at the same time. Engineer Breinholt asked if all the children get out of school at the same time. Ms. Greer stated 1st through 8th grade get out at the same time, Kindergarten gets out earlier, and the high school gets out at a different time.

Chief Nance stated he has observed the situation and stated it really doesn't take that long for parents to pick up their children if they waited in line. His concerns are the people lining up on the south side of the street. It's not a problem if they are parked waiting to turn into the circular drive, but those that park and then pull back into traffic, which is a common thing on streets, need to be careful. The charter school in Perry uses a sign that states "No left turns during school hours", which Chief Nance suggested they also use here. The Police Department would, however, need to be there to enforce that.

Chief Nance stated he only observed about 25 to 30 cars total picking up children, so it's not a huge volume of traffic, but they all hit at the same time. The obvious concern is the parents parking across the street and making their children cross the street to get to the school. Ms. Greer stated there is only one crosswalk children are supposed to use and they're not using it when they are being dropped off in this way.

Chairman Bench asked Ms. Greer and Ms. Smith what their recommendations would be. Ms. Greer stated the "no left turn" signage would be good and it would be nice if there was no parking allowed unless they are waiting to pull into the circular drive. Engineer Breinholt asked if there is enough room to mark a right turn only lane with no parking. Chief Nance stated there isn't enough room to mark a right turn lane, but it could be marked as no parking. Chairman Bench stated he would need to go look at it.

Chief Nance suggested the entrance and exit be marked better with signage that would indicate no entrance into the exit only area. Chairman Bench suggested adding no parking zones in other areas around the school as well. Chief Nance stated that could be done. There is curb and gutter in front of the old hospital and then it transitions into just a shoulder and there are cars that park right next to the curb where the road is little wider.

Ms. Greer stated she saw a parent park across the street, but they then exited the car and walked their children across the street. Chairman Bench asked if that was still unacceptable or if it is okay as long as the parents are accompanying the children across the street. Ms. Smith stated they want to encourage parents to use the carpool lane as it will run smoother once they are all used to it and it will be

safer. Chief Nance also suggested not allowing children to be picked up unless the parent is in the pick up zone.

Ms. Greer also asked about a sign being placed to not allow local traffic to use their drive as a U-turn. Chairman Bench stated the City won't post that sign for them and suggested they place a sign stating it is a private drive or something to discourage the general public from using it.

Chairman Bench stated these issues will need to be reviewed by the Traffic Advisory Board to see what can be done.

4. Comments/Reports:

a. Chairman/Zoning Administrator – Steve Bench

Chairman Bench asked Engineer Breinholt if he got his email about inspecting Pheasant Run Subdivision and releasing escrow. Engineer Breinholt stated he did but he hasn't heard back from Public Works Lead Ed Quinn or Director Fulgham about it yet. Chairman Bench also asked Engineer Breinholt to see if the escrow money for Shopko can be released. Engineer Breinholt stated Shopko is probably good but he would check.

b. City Engineer – Chris Breinholt

Engineer Breinholt asked about the central canal on the Mark Smith property and if the storm drains needs to be put out to bid. Manager Warnke stated they will need to talk to Director Fulgham and look at the budget.

c. Recreation Director – Marc Christensen

No comments.

d. Public Works Director – Paul Fulgham

Director Fulgham as excused from the meeting.

e. City Manager – Shawn Warnke

No comments.

5. Public comments: Comments limited to five minutes.

No public comments.

6. Adjournment:

Motion by Engineer Breinholt to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 12:22 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes of the Land Use Authority Board Meeting held on the above referenced date. Minutes prepared by Acting City Recorder Linsey Nessen.

Dated this ____ day of _____, 2016

Linsey Nessen, Acting City Recorder

*Utah Code 52-4-202, (6) allows for a topic to be raised by the public and discussed by the public body even though it was not included in the agenda or advance public notice given; however, no final action will be taken.